

U.S. District Court

District of Delaware (Wilmington)

CIVIL DOCKET FOR CASE #: 1:05-cv-00514-KAJ

Sokolove et al v. City of Rehoboth Beach Delaware et al
Assigned to: Honorable Kent A. Jordan
Cause: 42:1983 Civil Rights Act

Date Filed: 07/21/2005
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Robert Sokolove

represented by **Todd C. Schiltz**
Wolf, Block, Schorr & Solis-Cohen
Wilmington Trust Center
1100 North Market Street, Suite 1001
Wilmington, DE 19801
(302) 777-0312
Email: tschiltz@wolfblock.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

David McCarthy

represented by **Todd C. Schiltz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

William Shields

represented by **Todd C. Schiltz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Citizens for Rehoboth Beach
a political action committee

represented by **Todd C. Schiltz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

City of Rehoboth Beach Delaware

represented by **Daniel A. Griffith**
Marshall, Dennehey, Warner, Coleman
& Goggin
1220 N. Market St., Suite 500
P.O. Box 8888

Fax: (302) 651-7905
 Email: dgriffith@mdwecg.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William J. Rhodunda, Jr.
 Oberly & Jennings
 800 Delaware Ave., Suite 901
 P.O. Box 2054
 Wilmington, DE 19899-2054
 (302) 576-2000
 Email: wrhodunda@ojlaw.com
TERMINATED: 08/16/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Gregory Ferrese
*individually and as Manager of the City
 of Rehoboth Beach Delaware*

represented by **Daniel A. Griffith**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William J. Rhodunda, Jr.
 (See above for address)
TERMINATED: 08/16/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|--|
| 07/21/2005 | <u>1</u> | VERIFIED COMPLAINT filed against City of Rehoboth Beach Delaware, Gregory Ferrese - Magistrate Consent Notice to Pltf. (Filing fee \$ 250, receipt number 140030.) - filed by Robert Sokolove, David McCarthy, William Shields, Citizens for Rehoboth Beach. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Civil Cover Sheet # <u>3</u> Acknowledgement of Consent Form)(mwm,) (Exit KAJ) (Entered: 07/21/2005) |
| 07/21/2005 | | Summons Issued as to City of Rehoboth Beach Delaware on 7/21/2005; Gregory Ferrese on 7/21/2005. (mwm,) (Entered: 07/21/2005) |
| 07/21/2005 | <u>2</u> | MOTION for Temporary Restraining Order - filed by Robert Sokolove, David McCarthy, William Shields, Citizens for Rehoboth Beach. (mwm,) (Exit KAJ) (Entered: 07/21/2005) |
| 07/21/2005 | <u>3</u> | Memorandum in Support re <u>2</u> MOTION for Temporary Restraining Order filed by Robert Sokolove, David McCarthy, William Shields, Citizens for Rehoboth Beach. Answering Brief/Response due date per Local Rules is 8/4/2005. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> |

| | | |
|------------|-----------|---|
| | | Exhibit 2 J# <u>13</u> Exhibit 2 K# <u>14</u> Exhibit 2 L# <u>15</u> Exhibit 2 M# <u>16</u> Exhibit 2 N# <u>17</u> Exhibit 2 O# <u>18</u> Exhibit 2 P# <u>19</u> Exhibit 2 Q# <u>20</u> Exhibit 3# <u>21</u> Exhibit 4# <u>22</u> Exhibit 5)(mwm,) (Exit KAJ) (Entered: 07/21/2005) |
| 07/21/2005 | <u>4</u> | NOTICE of filing the following document(s) in paper format: Exhibits A through R of the Affidavit of Joseph B. Hill, and affidavit which is filed in support of Pltfs' Motion for Temporary Restraining Order and was attached to Memorandum in Support. Original document(s) on file in Clerk's Office. Notice filed by Todd C. Schiltz on behalf of Robert Sokolove, David McCarthy, William Shields, Citizens for Rehoboth Beach (mwm,) (Exit KAJ). (Entered: 07/21/2005) |
| 07/21/2005 | <u>5</u> | Letter to Clerk from Todd Schiltz, Esq. regarding request for hearing re <u>2</u> Emergency MOTION for Temporary Restraining Order. (mwm,) (Exit KAJ) (Entered: 07/21/2005) |
| 07/21/2005 | | Minute Entry for proceedings held before Judge Kent A. Jordan : Telephone Conference held on 7/21/2005, Re: Duty Judge Matter. Hearing set for 7/26/05 at 10:00 before Judge Jordan, counsel to submit proposed order. (Court Reporter K. Maurer.) (rwc,) Modified on 7/29/2005 (rwc,). (Entered: 07/22/2005) |
| 07/21/2005 | <u>6</u> | TRANSCRIPT of teleconference held on 7/21/05 before Judge Jordan. Court Reporter: K. Maurer. (Transcript on file in Clerk's Office) (rwc,) Modified on 7/29/2005 (rwc,). (Entered: 07/22/2005) |
| 07/22/2005 | <u>7</u> | NOTICE to Take Deposition of City of Rehoboth Beach, Delaware by and through A. Walter Onizuk on July 25, 2005 by Robert Sokolove, David McCarthy, William Shields. (Attachments: # <u>1</u> Certificate of Service)(Schiltz, Todd) (Entered: 07/22/2005) |
| 07/22/2005 | <u>8</u> | NOTICE to Take Deposition of Representative of the City of Rehoboth Beach, Delaware on July 25, 2005 by Robert Sokolove. (Attachments: # <u>1</u> Certificate of Service)(Schiltz, Todd) (Entered: 07/22/2005) |
| 07/22/2005 | <u>9</u> | NOTICE OF SERVICE of Defendants' First Set of Interrogatories Directed to Plaintiffs by City of Rehoboth Beach Delaware, Gregory Ferrese.(Rhodunda, William) (Entered: 07/22/2005) |
| 07/25/2005 | <u>10</u> | ORDER - Setting Hearing on Motion <u>2</u> for Temporary Restraining Order: Motion Hearing set for 7/26/2005 10:00 AM in Courtroom 6A before Honorable Kent A. Jordan. Signed by Judge Kent A. Jordan on 7/25/05. (rwc,) (Entered: 07/25/2005) |
| 07/25/2005 | <u>11</u> | Letter to Judge Jordan from WolfBlock regarding Status Report re: 7/26/05 Hearing. (Schiltz, Todd) (Entered: 07/25/2005) |
| 07/26/2005 | <u>12</u> | First ANSWERING BRIEF in Opposition re <u>2</u> MOTION for Temporary Restraining Order filed by City of Rehoboth Beach Delaware, Gregory Ferrese.Reply Brief due date per Local Rules is 8/2/2005. (Attachments: # <u>1</u> Affidavit Affidavit of Richard Sargent# <u>2</u> Affidavit Affidavit of |

| | | |
|------------|-----------|--|
| 07/26/2005 | <u>13</u> | CERTIFICATE OF SERVICE of Defendants' Memorandum in Opposition to Plaintiffs' Motion for Temporary Restraining Order by City of Rehoboth Beach Delaware, Gregory Ferrese (Rhodunda, William) (Entered: 07/26/2005) |
| 07/26/2005 | | Minute Entry for proceedings held before Judge Kent A. Jordan : Evidentiary Hearing held on 7/26/2005. (Court Reporter Brian Gaffigan.) (ntl,) (Entered: 07/27/2005) |
| 07/26/2005 | 14 | STENO NOTES of evidentiary hearing held on 7/26/05 before Judge Jordan. Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (ntl,) Modified on 7/29/2005 (rwc,). (Entered: 07/27/2005) |
| 07/27/2005 | | Case assigned to Judge Kent A. Jordan. Please include the initials of the Judge (KAJ) after the case number on all documents filed. (rjb,) (Entered: 07/27/2005) |
| 07/27/2005 | 15 | TRANSCRIPT (closing arguments) of evidentiary hearing held on 7/26/05 before Judge Jordan. Court Reporter: Brian Gaffigan. (Transcript on file in Clerk's Office) (ntl,) (Entered: 07/27/2005) |
| 07/28/2005 | <u>16</u> | SUMMONS Returned Executed by Robert Sokolove. City of Rehoboth Beach Delaware served on 7/22/2005, answer due 8/11/2005. (Schiltz, Todd) (Entered: 07/28/2005) |
| 07/28/2005 | <u>17</u> | SUMMONS Returned Executed by Robert Sokolove. Gregory Ferrese served on 7/22/2005, answer due 8/11/2005. (Schiltz, Todd) (Entered: 07/28/2005) |
| 07/28/2005 | <u>18</u> | Letter to The Honorable Kent A. Jordan from Karen V. Sullivan regarding Transcripts of the 30(b)(6) deposition of the City of Rehoboth Beach. (Sullivan, Karen) (Entered: 07/28/2005) |
| 07/28/2005 | <u>19</u> | MEMORANDUM ORDER - denying <u>2</u> MOTION for Temporary Restraining Order. Signed by Judge Kent A. Jordan on 7/28/05. (rwc,) (Entered: 07/28/2005) |
| 07/29/2005 | 20 | TRANSCRIPT of Preliminary Injunction Hearing held on 7/26/05 before Judge Jordan. Court Reporter: B. Gaffigan. (Transcript on file in Clerk's Office) (rwc,) (Entered: 07/29/2005) |
| 08/01/2005 | 21 | STENO NOTES for 7/21/05 filed by Court Reporter: K. Maurer. (Notes on file in Clerk's Office) (rwc,) (Entered: 08/01/2005) |
| 08/16/2005 | <u>22</u> | NOTICE OF SUBSTITUTION OF COUNSEL re all defendants: Entry of appearance of attorney Daniel A. Griffith. Attorney William J. Rhodunda, Jr., Esq. terminated. (Griffith, Daniel) (Entered: 08/16/2005) |
| 08/17/2005 | <u>23</u> | ANSWER to Complaint by City of Rehoboth Beach Delaware, Gregory Ferrese.(Griffith, Daniel) (Entered: 08/17/2005) |
| 08/22/2005 | <u>24</u> | Letter dated 8/22/05 to counsel from Judge Jordan regarding Rule 16 |

| | | |
|------------|-----------|---|
| 08/25/2005 | <u>25</u> | NOTICE OF SERVICE of Notice of Deposition by Robert Sokolove. (Schiltz, Todd) (Entered: 08/25/2005) |
| 09/02/2005 | <u>26</u> | ORDER, Setting Scheduling Teleconference for 10/5/2005 09:00 AM before Honorable Kent A. Jordan. Signed by Judge Kent A. Jordan on 9/2/05. (rwc,) (Entered: 09/02/2005) |
| 09/30/2005 | <u>27</u> | Letter to The Honorable Kent A. Jordan from Todd C. Schiltz regarding Proposed Scheduling Order. (Attachments: # <u>1</u> Text of Proposed Order) (Schiltz, Todd) (Entered: 09/30/2005) |
| 10/05/2005 | <u>28</u> | STENO NOTES for 10/5/05 filed by Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (rwc,) (Entered: 10/05/2005) |
| 10/05/2005 | | Minute Entry for proceedings held before Judge Kent A. Jordan : Scheduling Teleconference held on 10/5/2005. (Court Reporter B. Gaffigan.) (rwc,) (Entered: 10/05/2005) |
| 10/12/2005 | <u>29</u> | Letter to The Honorable Kent A. Jordan from Todd C. Schiltz regarding Scheduling Order. (Attachments: # <u>1</u> Text of Proposed Order)(Schiltz, Todd) (Entered: 10/12/2005) |
| 10/13/2005 | <u>30</u> | SCHEDULING ORDER: Case referred to the Magistrate Judge for the purpose of exploring ADR. Discovery due by 2/28/2006. Status Report due by 1/3/2006. Status Conference set for 1/9/2006 04:30 PM before Honorable Kent A. Jordan. Dispositive Motions due by 3/30/2006. Pretrial Conference set for 9/26/2006 04:30 PM in Chambers before Honorable Kent A. Jordan. Proposed Pretrial Order due by 8/28/2006. Bench Trial (2-days) set for 10/30/2006 09:00 AM in Courtroom 6A before Honorable Kent A. Jordan. Signed by Judge Kent A. Jordan on 10/13/05. (Attachments: # <u>1</u> PTO form)(rwc,) (Entered: 10/13/2005) |
| 10/13/2005 | <u>31</u> | TRIAL MANAGEMENT ORDER - Signed by Judge Kent A. Jordan on 10/13/05. (rwc,) (Entered: 10/13/2005) |
| 10/13/2005 | | CASE REFERRED to Mediation. (cab,) (Entered: 10/21/2005) |
| 10/18/2005 | <u>32</u> | MOTION for Partial Summary Judgment - filed by Robert Sokolove. (Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>33</u> | OPENING BRIEF in Support re <u>32</u> MOTION for Partial Summary Judgment filed by Robert Sokolove. Answering Brief/Response due date per Local Rules is 11/1/2005. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Certificate of Service)(Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>34</u> | APPENDIX re <u>32</u> MOTION for Partial Summary Judgment, <u>33</u> Opening Brief in Support (<i>Compendium of Exhibits</i>) by Robert Sokolove. (Attachments: # <u>1</u> Exhibit 1 Hearing Transcript (part 1 of 4)# <u>2</u> Exhibit 1 Hearing Transcript (part 2 of 4)# <u>3</u> Exhibit 1 Hearing Transcript (part 3 of 4)# <u>4</u> Exhibit 1 Hearing Transcript (part 4 of 4)# <u>5</u> Exhibit 2 Murphy Dep (part 1 of 2)# <u>6</u> Exhibit 2 Murphy Dep (part 2 of 2)# <u>7</u> Exhibit 3 |

| | | |
|------------|-----------|--|
| | | Exhibit 9# <u>16</u> Exhibit 10# <u>17</u> Exhibit 11# <u>18</u> Exhibit 12# <u>19</u> Exhibit 13-26# <u>20</u> Exhibit 27# <u>21</u> Exhibit 28# <u>22</u> Exhibit 29# <u>23</u> Exhibit 30# <u>24</u> Exhibit 31# <u>25</u> Exhibit 32# <u>26</u> Certificate of Service)(Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>35</u> | AFFIDAVIT of Scott W. Sterl filed by Robert Sokolove. (Attachments: # <u>1</u> Exhibit # <u>2</u> Certificate of Service)(Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>36</u> | Second AFFIDAVIT of Robert Sokolove filed by Robert Sokolove. (Attachments: # <u>1</u> Exhibit # <u>2</u> Certificate of Service)(Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>37</u> | NOTICE of filing the following document(s) in paper format: Exhibits 13-26 of Compendium of Exhibits in Support of Opening Brief. Original document(s) on file in Clerk's Office. Notice filed by Todd C. Schiltz on behalf of all plaintiffs (Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>38</u> | NOTICE of filing the following document(s) in paper format: Exhibits 1-13 of the Affidavit of Scott W. Sterl. Original document(s) on file in Clerk's Office. Notice filed by Todd C. Schiltz on behalf of all plaintiffs (Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>39</u> | NOTICE of filing the following document(s) in paper format: Exhibits A-L of the Second Affidavit of Robert Sokolove. Original document(s) on file in Clerk's Office. Notice filed by Todd C. Schiltz on behalf of all plaintiffs (Schiltz, Todd) (Entered: 10/18/2005) |
| 10/19/2005 | <u>40</u> | Letter to Honorable Kent A. Jordan from Todd C. Schiltz. (Schiltz, Todd) (Entered: 10/19/2005) |
| 10/20/2005 | <u>41</u> | INITIAL DISCLOSURES pursuant to Rule 26 by Robert Sokolove, David McCarthy, William Shields, Citizens for Rehoboth Beach.(Schiltz, Todd) (Entered: 10/20/2005) |
| 10/21/2005 | <u>42</u> | Order Setting Teleconference: Telephone Conference set for 10/26/2005 09:00 AM before Honorable Mary Pat Thyng to discuss ADR. Signed by Judge Mary Pat Thyng on 10/21/2005. (cab,) (Entered: 10/21/2005) |
| 10/26/2005 | <u>43</u> | ORDER Setting Mediation Conferences: Mediation Conference set for 12/8/2005 02:30 PM in Courtroom 6C before Honorable Mary Pat Thyng. Signed by Judge Mary Pat Thyng on 10/26/2005. (cab,) (Entered: 10/26/2005) |
| 10/31/2005 | <u>44</u> | STIPULATION to file Amended and Supplemental Verified Complaint by Robert Sokolove. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Certificate of Service)(Schiltz, Todd) (Entered: 10/31/2005) |
| 11/03/2005 | <u>45</u> | AMENDED COMPLAINT against all defendants- filed by Robert Sokolove.(Schiltz, Todd) (Entered: 11/03/2005) |
| 11/04/2005 | <u>46</u> | NOTICE OF SERVICE of Plaintiffs' First Request for Production of Documents, Requests for Admission, and Interrogatories by Robert |

| PACER Service Center | | | |
|------------------------|---------------|-------------------------|--|
| Transaction Receipt | | | |
| 11/07/2005 12:22:59 | | | |
| PACER Login: | md0052 | Client Code: | 20021-00102 |
| Description: | Docket Report | Search Criteria: | 1:05-cv-00514-KAJ Start date: 1/1/1970 End date: 11/7/2005 |
| Billable Pages: | 4 | Cost: | 0.32 |

U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:05-cv-00514-KAJ

Sokolove et al v. City of Rehoboth Beach Delaware et al
Assigned to: Honorable Kent A. Jordan
Cause: 42:1983 Civil Rights Act

Date Filed: 07/21/2005
Jury Demand: None
Nature of Suit: 440 Civil Rights: Other
Jurisdiction: Federal Question

Plaintiff

Robert Sokolove

represented by **Todd C. Schiltz**
Wolf, Block, Schorr & Solis-Cohen
Wilmington Trust Center
1100 North Market Street, Suite 1001
Wilmington, DE 19801
(302) 777-0312
Email: tschiltz@wolfblock.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

David McCarthy

represented by **Todd C. Schiltz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

William Shields

represented by **Todd C. Schiltz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Citizens for Rehoboth Beach
a political action committee

represented by **Todd C. Schiltz**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

City of Rehoboth Beach Delaware

represented by **Daniel A. Griffith**
Marshall, Dennehey, Warner, Coleman
& Goggin
1220 N. Market St., Suite 500
P.O. Box 8888

Fax: (302) 651-7905
 Email: dgriffith@mdwecg.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William J. Rhodunda, Jr.
 Oberly & Jennings
 800 Delaware Ave., Suite 901
 P.O. Box 2054
 Wilmington, DE 19899-2054
 (302) 576-2000
 Email: wrhodunda@ojlaw.com
TERMINATED: 08/16/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

Gregory Ferrese
*individually and as Manager of the City
 of Rehoboth Beach Delaware*

represented by **Daniel A. Griffith**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

William J. Rhodunda, Jr.
 (See above for address)
TERMINATED: 08/16/2005
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|----------|--|
| 07/21/2005 | <u>1</u> | VERIFIED COMPLAINT filed against City of Rehoboth Beach Delaware, Gregory Ferrese - Magistrate Consent Notice to Pltf. (Filing fee \$ 250, receipt number 140030.) - filed by Robert Sokolove, David McCarthy, William Shields, Citizens for Rehoboth Beach. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Civil Cover Sheet # <u>3</u> Acknowledgement of Consent Form)(mwm,) (Exit KAJ) (Entered: 07/21/2005) |
| 07/21/2005 | | Summons Issued as to City of Rehoboth Beach Delaware on 7/21/2005; Gregory Ferrese on 7/21/2005. (mwm,) (Entered: 07/21/2005) |
| 07/21/2005 | <u>2</u> | MOTION for Temporary Restraining Order - filed by Robert Sokolove, David McCarthy, William Shields, Citizens for Rehoboth Beach. (mwm,) (Exit KAJ) (Entered: 07/21/2005) |
| 07/21/2005 | <u>3</u> | Memorandum in Support re <u>2</u> MOTION for Temporary Restraining Order filed by Robert Sokolove, David McCarthy, William Shields, Citizens for Rehoboth Beach. Answering Brief/Response due date per Local Rules is 8/4/2005. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> |

| | | |
|------------|-----------|---|
| | | Exhibit 2 J# <u>13</u> Exhibit 2 K# <u>14</u> Exhibit 2 L# <u>15</u> Exhibit 2 M# <u>16</u> Exhibit 2 N# <u>17</u> Exhibit 2 O# <u>18</u> Exhibit 2 P# <u>19</u> Exhibit 2 Q# <u>20</u> Exhibit 3# <u>21</u> Exhibit 4# <u>22</u> Exhibit 5)(mwm,) (Exit KAJ) (Entered: 07/21/2005) |
| 07/21/2005 | <u>4</u> | NOTICE of filing the following document(s) in paper format: Exhibits A through R of the Affidavit of Joseph B. Hill, and affidavit which is filed in support of Pltfs' Motion for Temporary Restraining Order and was attached to Memorandum in Support. Original document(s) on file in Clerk's Office. Notice filed by Todd C. Schiltz on behalf of Robert Sokolove, David McCarthy, William Shields, Citizens for Rehoboth Beach (mwm,) (Exit KAJ). (Entered: 07/21/2005) |
| 07/21/2005 | <u>5</u> | Letter to Clerk from Todd Schiltz, Esq. regarding request for hearing re <u>2</u> Emergency MOTION for Temporary Restraining Order. (mwm,) (Exit KAJ) (Entered: 07/21/2005) |
| 07/21/2005 | | Minute Entry for proceedings held before Judge Kent A. Jordan : Telephone Conference held on 7/21/2005, Re: Duty Judge Matter. Hearing set for 7/26/05 at 10:00 before Judge Jordan, counsel to submit proposed order. (Court Reporter K. Maurer.) (rwc,) Modified on 7/29/2005 (rwc,). (Entered: 07/22/2005) |
| 07/21/2005 | <u>6</u> | TRANSCRIPT of teleconference held on 7/21/05 before Judge Jordan. Court Reporter: K. Maurer. (Transcript on file in Clerk's Office) (rwc,) Modified on 7/29/2005 (rwc,). (Entered: 07/22/2005) |
| 07/22/2005 | <u>7</u> | NOTICE to Take Deposition of City of Rehoboth Beach, Delaware by and through A. Walter Onizuk on July 25, 2005 by Robert Sokolove, David McCarthy, William Shields. (Attachments: # <u>1</u> Certificate of Service)(Schiltz, Todd) (Entered: 07/22/2005) |
| 07/22/2005 | <u>8</u> | NOTICE to Take Deposition of Representative of the City of Rehoboth Beach, Delaware on July 25, 2005 by Robert Sokolove. (Attachments: # <u>1</u> Certificate of Service)(Schiltz, Todd) (Entered: 07/22/2005) |
| 07/22/2005 | <u>9</u> | NOTICE OF SERVICE of Defendants' First Set of Interrogatories Directed to Plaintiffs by City of Rehoboth Beach Delaware, Gregory Ferrese.(Rhodunda, William) (Entered: 07/22/2005) |
| 07/25/2005 | <u>10</u> | ORDER - Setting Hearing on Motion <u>2</u> for Temporary Restraining Order: Motion Hearing set for 7/26/2005 10:00 AM in Courtroom 6A before Honorable Kent A. Jordan. Signed by Judge Kent A. Jordan on 7/25/05. (rwc,) (Entered: 07/25/2005) |
| 07/25/2005 | <u>11</u> | Letter to Judge Jordan from WolfBlock regarding Status Report re: 7/26/05 Hearing. (Schiltz, Todd) (Entered: 07/25/2005) |
| 07/26/2005 | <u>12</u> | First ANSWERING BRIEF in Opposition re <u>2</u> MOTION for Temporary Restraining Order filed by City of Rehoboth Beach Delaware, Gregory Ferrese.Reply Brief due date per Local Rules is 8/2/2005. (Attachments: # <u>1</u> Affidavit Affidavit of Richard Sargent# <u>2</u> Affidavit Affidavit of |

| | | |
|------------|-----------|--|
| 07/26/2005 | <u>13</u> | CERTIFICATE OF SERVICE of Defendants' Memorandum in Opposition to Plaintiffs' Motion for Temporary Restraining Order by City of Rehoboth Beach Delaware, Gregory Ferrese (Rhodunda, William) (Entered: 07/26/2005) |
| 07/26/2005 | | Minute Entry for proceedings held before Judge Kent A. Jordan : Evidentiary Hearing held on 7/26/2005. (Court Reporter Brian Gaffigan.) (ntl,) (Entered: 07/27/2005) |
| 07/26/2005 | <u>14</u> | STENO NOTES of evidentiary hearing held on 7/26/05 before Judge Jordan. Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (ntl,) Modified on 7/29/2005 (rwc,). (Entered: 07/27/2005) |
| 07/27/2005 | | Case assigned to Judge Kent A. Jordan. Please include the initials of the Judge (KAJ) after the case number on all documents filed. (rjb,) (Entered: 07/27/2005) |
| 07/27/2005 | <u>15</u> | TRANSCRIPT (closing arguments) of evidentiary hearing held on 7/26/05 before Judge Jordan. Court Reporter: Brian Gaffigan. (Transcript on file in Clerk's Office) (ntl,) (Entered: 07/27/2005) |
| 07/28/2005 | <u>16</u> | SUMMONS Returned Executed by Robert Sokolove. City of Rehoboth Beach Delaware served on 7/22/2005, answer due 8/11/2005. (Schiltz, Todd) (Entered: 07/28/2005) |
| 07/28/2005 | <u>17</u> | SUMMONS Returned Executed by Robert Sokolove. Gregory Ferrese served on 7/22/2005, answer due 8/11/2005. (Schiltz, Todd) (Entered: 07/28/2005) |
| 07/28/2005 | <u>18</u> | Letter to The Honorable Kent A. Jordan from Karen V. Sullivan regarding Transcripts of the 30(b)(6) deposition of the City of Rehoboth Beach. (Sullivan, Karen) (Entered: 07/28/2005) |
| 07/28/2005 | <u>19</u> | MEMORANDUM ORDER - denying <u>2</u> MOTION for Temporary Restraining Order. Signed by Judge Kent A. Jordan on 7/28/05. (rwc,) (Entered: 07/28/2005) |
| 07/29/2005 | <u>20</u> | TRANSCRIPT of Preliminary Injunction Hearing held on 7/26/05 before Judge Jordan. Court Reporter: B. Gaffigan. (Transcript on file in Clerk's Office) (rwc,) (Entered: 07/29/2005) |
| 08/01/2005 | <u>21</u> | STENO NOTES for 7/21/05 filed by Court Reporter: K. Maurer. (Notes on file in Clerk's Office) (rwc,) (Entered: 08/01/2005) |
| 08/16/2005 | <u>22</u> | NOTICE OF SUBSTITUTION OF COUNSEL re all defendants: Entry of appearance of attorney Daniel A. Griffith. Attorney William J. Rhodunda, Jr., Esq. terminated. (Griffith, Daniel) (Entered: 08/16/2005) |
| 08/17/2005 | <u>23</u> | ANSWER to Complaint by City of Rehoboth Beach Delaware, Gregory Ferrese.(Griffith, Daniel) (Entered: 08/17/2005) |
| 08/22/2005 | <u>24</u> | Letter dated 8/22/05 to counsel from Judge Jordan regarding Rule 16 |

| | | |
|------------|-----------|---|
| 08/25/2005 | <u>25</u> | NOTICE OF SERVICE of Notice of Deposition by Robert Sokolove. (Schiltz, Todd) (Entered: 08/25/2005) |
| 09/02/2005 | <u>26</u> | ORDER, Setting Scheduling Teleconference for 10/5/2005 09:00 AM before Honorable Kent A. Jordan. Signed by Judge Kent A. Jordan on 9/2/05. (rwc,) (Entered: 09/02/2005) |
| 09/30/2005 | <u>27</u> | Letter to The Honorable Kent A. Jordan from Todd C. Schiltz regarding Proposed Scheduling Order. (Attachments: # <u>1</u> Text of Proposed Order) (Schiltz, Todd) (Entered: 09/30/2005) |
| 10/05/2005 | <u>28</u> | STENO NOTES for 10/5/05 filed by Court Reporter: B. Gaffigan. (Notes on file in Clerk's Office) (rwc,) (Entered: 10/05/2005) |
| 10/05/2005 | | Minute Entry for proceedings held before Judge Kent A. Jordan : Scheduling Teleconference held on 10/5/2005. (Court Reporter B. Gaffigan.) (rwc,) (Entered: 10/05/2005) |
| 10/12/2005 | <u>29</u> | Letter to The Honorable Kent A. Jordan from Todd C. Schiltz regarding Scheduling Order. (Attachments: # <u>1</u> Text of Proposed Order)(Schiltz, Todd) (Entered: 10/12/2005) |
| 10/13/2005 | <u>30</u> | SCHEDULING ORDER: Case referred to the Magistrate Judge for the purpose of exploring ADR. Discovery due by 2/28/2006. Status Report due by 1/3/2006. Status Conference set for 1/9/2006 04:30 PM before Honorable Kent A. Jordan. Dispositive Motions due by 3/30/2006. Pretrial Conference set for 9/26/2006 04:30 PM in Chambers before Honorable Kent A. Jordan. Proposed Pretrial Order due by 8/28/2006. Bench Trial (2-days) set for 10/30/2006 09:00 AM in Courtroom 6A before Honorable Kent A. Jordan. Signed by Judge Kent A. Jordan on 10/13/05. (Attachments: # <u>1</u> PTO form)(rwc,) (Entered: 10/13/2005) |
| 10/13/2005 | <u>31</u> | TRIAL MANAGEMENT ORDER - Signed by Judge Kent A. Jordan on 10/13/05. (rwc,) (Entered: 10/13/2005) |
| 10/13/2005 | | CASE REFERRED to Mediation. (cab,) (Entered: 10/21/2005) |
| 10/18/2005 | <u>32</u> | MOTION for Partial Summary Judgment - filed by Robert Sokolove. (Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>33</u> | OPENING BRIEF in Support re <u>32</u> MOTION for Partial Summary Judgment filed by Robert Sokolove. Answering Brief/Response due date per Local Rules is 11/1/2005. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Certificate of Service)(Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>34</u> | APPENDIX re <u>32</u> MOTION for Partial Summary Judgment, <u>33</u> Opening Brief in Support (<i>Compendium of Exhibits</i>) by Robert Sokolove. (Attachments: # <u>1</u> Exhibit 1 Hearing Transcript (part 1 of 4)# <u>2</u> Exhibit 1 Hearing Transcript (part 2 of 4)# <u>3</u> Exhibit 1 Hearing Transcript (part 3 of 4)# <u>4</u> Exhibit 1 Hearing Transcript (part 4 of 4)# <u>5</u> Exhibit 2 Murphy Dep (part 1 of 2)# <u>6</u> Exhibit 2 Murphy Dep (part 2 of 2)# <u>7</u> Exhibit 3 |

| | | |
|------------|-----------|--|
| | | Exhibit 9# <u>16</u> Exhibit 10# <u>17</u> Exhibit 11# <u>18</u> Exhibit 12# <u>19</u> Exhibit 13-26# <u>20</u> Exhibit 27# <u>21</u> Exhibit 28# <u>22</u> Exhibit 29# <u>23</u> Exhibit 30# <u>24</u> Exhibit 31# <u>25</u> Exhibit 32# <u>26</u> Certificate of Service)(Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>35</u> | AFFIDAVIT of Scott W. Sterl filed by Robert Sokolove. (Attachments: # <u>1</u> Exhibit # <u>2</u> Certificate of Service)(Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>36</u> | Second AFFIDAVIT of Robert Sokolove filed by Robert Sokolove. (Attachments: # <u>1</u> Exhibit # <u>2</u> Certificate of Service)(Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>37</u> | NOTICE of filing the following document(s) in paper format: Exhibits 13-26 of Compendium of Exhibits in Support of Opening Brief. Original document(s) on file in Clerk's Office. Notice filed by Todd C. Schiltz on behalf of all plaintiffs (Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>38</u> | NOTICE of filing the following document(s) in paper format: Exhibits 1-13 of the Affidavit of Scott W. Sterl. Original document(s) on file in Clerk's Office. Notice filed by Todd C. Schiltz on behalf of all plaintiffs (Schiltz, Todd) (Entered: 10/18/2005) |
| 10/18/2005 | <u>39</u> | NOTICE of filing the following document(s) in paper format: Exhibits A-L of the Second Affidavit of Robert Sokolove. Original document(s) on file in Clerk's Office. Notice filed by Todd C. Schiltz on behalf of all plaintiffs (Schiltz, Todd) (Entered: 10/18/2005) |
| 10/19/2005 | <u>40</u> | Letter to Honorable Kent A. Jordan from Todd C. Schiltz. (Schiltz, Todd) (Entered: 10/19/2005) |
| 10/20/2005 | <u>41</u> | INITIAL DISCLOSURES pursuant to Rule 26 by Robert Sokolove, David McCarthy, William Shields, Citizens for Rehoboth Beach.(Schiltz, Todd) (Entered: 10/20/2005) |
| 10/21/2005 | <u>42</u> | Order Setting Teleconference: Telephone Conference set for 10/26/2005 09:00 AM before Honorable Mary Pat Thyng to discuss ADR. Signed by Judge Mary Pat Thyng on 10/21/2005. (cab,) (Entered: 10/21/2005) |
| 10/26/2005 | <u>43</u> | ORDER Setting Mediation Conferences: Mediation Conference set for 12/8/2005 02:30 PM in Courtroom 6C before Honorable Mary Pat Thyng. Signed by Judge Mary Pat Thyng on 10/26/2005. (cab,) (Entered: 10/26/2005) |
| 10/31/2005 | <u>44</u> | STIPULATION to file Amended and Supplemental Verified Complaint by Robert Sokolove. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Certificate of Service)(Schiltz, Todd) (Entered: 10/31/2005) |
| 11/03/2005 | <u>45</u> | AMENDED COMPLAINT against all defendants- filed by Robert Sokolove.(Schiltz, Todd) (Entered: 11/03/2005) |
| 11/04/2005 | <u>46</u> | NOTICE OF SERVICE of Plaintiffs' First Request for Production of Documents, Requests for Admission, and Interrogatories by Robert |

| PACER Service Center | | | |
|----------------------|---------------|------------------|--|
| Transaction Receipt | | | |
| 11/07/2005 12:22:59 | | | |
| PACER Login: | md0052 | Client Code: | 20021-00102 |
| Description: | Docket Report | Search Criteria: | 1:05-cv-00514-KAJ Start date: 1/1/1970 End date: 11/7/2005 |
| Billable Pages: | 4 | Cost: | 0.32 |